

whether the offense for which the defendant was placed on community supervision was committed before, on, or after that date.

(d) Articles 42A.701(f-1) and (f-2), Code of Criminal Procedure, as added by this Act, apply only to a discharge from community supervision that occurs on or after January 1, 2018. A discharge from community supervision that occurs before January 1, 2018, is governed by the law in effect on the date the discharge occurs, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2017.

Passed by the House on May 6, 2017: Yeas 130, Nays 14, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1507 on May 25, 2017: Yeas 113, Nays 28, 2 present, not voting; passed by the Senate, with amendments, on May 23, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.

Effective September 1, 2017.

**NOTICE TO APPLICANTS TO AND ENROLLEES IN CERTAIN
EDUCATIONAL PROGRAMS REGARDING THE
CONSEQUENCES OF A CRIMINAL CONVICTION ON
ELIGIBILITY FOR AN OCCUPATIONAL LICENSE**

CHAPTER 1018

H.B. No. 1508

AN ACT

relating to notice to applicants to and enrollees in certain educational programs regarding the consequences of a criminal conviction on eligibility for an occupational license.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 53, Occupations Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. NOTICE OF POTENTIAL INELIGIBILITY FOR LICENSE

Sec. 53.151. DEFINITIONS. Notwithstanding Section 53.001, in this subchapter, "licensing authority" and "occupational license" have the meanings assigned to those terms by Section 58.001.

Sec. 53.152. NOTICE BY ENTITIES PROVIDING EDUCATIONAL PROGRAMS. (a) An entity that provides an educational program to prepare an individual for issuance of an initial occupational license shall notify each applicant to and enrollee in the educational program of:

(1) the potential ineligibility of an individual who has been convicted of an offense for issuance of an occupational license on completion of the educational program;

(2) the current guidelines issued under Section 53.025 by any licensing authority that may issue an occupational license to an individual who completes the educational program;

(3) any other state or local restriction or guideline used by a licensing authority described by Subdivision (2) to determine the eligibility of an individual who has been convicted of an offense for an occupational license issued by the licensing authority; and

(4) the right to request a criminal history evaluation letter under Section 53.102.

(b) The entity shall provide the notice required under Subsection (a) to each applicant and enrollee regardless of whether the applicant or enrollee has been convicted of an

offense.

Sec. 53.153. REFUND AND ORDERED PAYMENTS. A licensing authority that determines that an entity regulated by the licensing authority has failed to provide the notice required by Section 53.152 to an individual entitled to receive the notice and that the individual's application for an occupational license for which the entity's educational program prepares the individual was denied because the individual has been convicted of an offense shall order the entity to:

- (1) refund the amount of any tuition paid by the individual to the entity; and*
- (2) pay to the individual an amount equal to the total of the following, as applicable:*
 - (A) the amount of any application fees paid by the individual to the licensing authority; and*
 - (B) the amount of any examination fees paid by the individual to the licensing authority or an examination provider approved by the licensing authority.*

SECTION 2. Section 53.152, Occupations Code, as added by this Act, applies only with respect to:

- (1) an individual who is enrolled in an educational program subject to that section on or after the effective date of this Act; and
- (2) an applicant for enrollment in an educational program subject to that section who applies for enrollment in the program on or after that date.

SECTION 3. This Act takes effect September 1, 2017.

Passed by the House on April 13, 2017: Yeas 131, Nays 7, 3 present, not voting; the House concurred in Senate amendments to H.B. No. 1508 on May 26, 2017: Yeas 134, Nays 7, 1 present, not voting; passed by the Senate, with amendments, on May 24, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.

Effective September 1, 2017.

**TRANSFER OF CERTAIN FUNCTIONS RELATED TO
EMERGENCY SERVICES DISTRICTS FROM THE
DEPARTMENT OF AGRICULTURE TO THE TEXAS DIVISION
OF EMERGENCY MANAGEMENT**

CHAPTER 1019

H.B. No. 1510

AN ACT

relating to the transfer of certain functions related to emergency services districts from the Department of Agriculture to the Texas Division of Emergency Management.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 487.061, Government Code, is transferred to Subchapter C, Chapter 418, Government Code, redesignated as Section 418.053, Government Code, and amended to read as follows:

Sec. 418.053 [487.061]. EMERGENCY SERVICES DISTRICT PROGRAM. (a) The *division* [department] shall serve as a resource to provide interested rural communities with:

- (1) general information about emergency services districts; and
 - (2) information and training related to the establishment of an emergency services district.
- (b) The *division* [department] may: